

## **REMARKS**

### **A. Supplemental Information Disclosure Statement**

On March 21, 2003, Applicant filed a Supplemental Information Disclosure.

Applicant requests that the Supplemental Information Disclosure Statement and the cited references be considered and made of record in the next Office Action.

### **B. 35 U.S.C. § 102**

In the Office Action of February 24, 2003, claims 1, 2 and 4-6 were rejected under 35 U.S.C. §102(e) as being anticipated by Bielski et al. Applicant traverses this rejection. Claim 1 recites a scanning unit that includes “a voltage monitoring unit that selectively supplies said one or more individual electrical components with a voltage from said voltage source.” The Office Action has relied on FIG. 1 and a passage from Column 5, line 55 to Column 6, line 26 as disclosing the recited voltage monitoring unit. A review of FIG. 1 and the passage does not reveal the recited voltage monitoring unit. The signal generating unit 3 generates phase shifted analog scanning signals 5, 6. (Col. 3, ll. 46-48). The scanning signals 5, 6 are sent to a digitizing unit 8 where digitized scanning signals 9, 10 are generated. (Col. 3, ll. 48-51). The scanning signals 9, 10 are sent to a switching unit 7, which also receives a switching signal 18 from an identification unit 16. (Col. 5, ll. 25-31). The identification unit 16 receives switching signals 12 from a supply line 13 so as to generate the switching signal 18. (Col. 5, ll. 15-22). The switching unit 7 chooses

between at least two different types of output signals and selects which signals are passed to evaluating unit 4. (Col. 3, l. 63 - Col. 4, l. 2). The above description demonstrates that neither of the units 3, 7, 8 and 12 of the scanning unit 2 selectively supplies any of the components of the scanning unit 2 with a voltage from a voltage source. Accordingly, claim 1 is not anticipated by Bielski et al. and so the rejection is improper and should be withdrawn.

Besides not being anticipated by Bielski et al., claim 1 is not rendered obvious by Bielski et al. In particular, there is no suggestion or motivation to have any of the units 3, 7, 8 and 12 of the scanning unit to selectively supply any of the other units with a voltage from a voltage source. Without such suggestion or motivation, claim 1 is patentable over Bielski et al.

**C. 35 U.S.C. §103**

**1. Bielski et al. and Potega**

Claim 3 was rejected under 35 U.S.C. §103 as being obvious in view of Bielski et al. and Potega. Claim 3 depends from claim 1. Potega does not overcome the deficiencies of Bielski et al. with respect to claim 1. In particular, Potega does not suggest altering Bielski et al. to have any of Bielski et al.'s units 3, 7, 8 and 12 of the scanning unit 2 to selectively supply any of the other units with a voltage from a voltage source. Without such suggestion or motivation, the rejection is improper and should be

withdrawn.

**2. Bielski et al. and Hoon**

**a. Claims 7-11**

Claims 7-11 were rejected under 35 U.S.C. §103 as being obvious in view of Bielski et al. and Hoon. Claims 7-11 depend directly or indirectly from claim 1. Hoon does not overcome the deficiencies of Bielski et al. with respect to claim 1 since Hoon does not suggest altering Bielski et al. to have any of Bielski et al.'s units 3, 7, 8 and 12 of the scanning unit 2 to selectively supply any of the other units with a voltage from a voltage source. Without such suggestion or motivation, the rejection is improper and should be withdrawn.

**b. Claims 12 and 13**

Claims 12 and 13 were rejected under 35 U.S.C. §103 as being obvious in view of Bielski et al. and Hoon. Claim 12 recites activating one or more electrical components of the scanning unit, provided a sufficient supply voltage has been determined during a check of a supply voltage. As described above in Section B, Bielski et al. does not describe such an activation process for either of its units 3, 7, 8 or 12 of the scanning unit 2. Since Hoon does not disclose or suggest altering Bielski et al.'s process to activate either of the units 3, 7, 8 or 12 based on a check of a supply voltage as recited in claim 12, the rejection is improper and should be withdrawn.

**D. Claims 14-20**

Applicant notes with appreciation that claims 14-20 have been indicated to contain allowable subject matter. Since claim 14 has been amended in independent form, claims 14-20 should be allowed in the next Office Action.

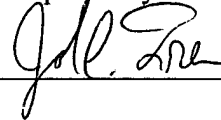
As mentioned above, claim 14 has been amended so as to be in independent form. Since the amendment incorporates subject matter that was inherently present in original claim 14, the amendment is not being presented for reasons of patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722, 122 S. Ct. 1831 (2002).

**CONCLUSION**

In view of the arguments above, Applicant respectfully submits that all of the pending claims 1-20 are in condition for allowance and seek an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office

Action and believes that an interview would be helpful to resolve any remaining issues,  
he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John C. Freeman", is written over a horizontal line.

John C. Freeman  
Registration No. 34,483  
Attorney for Applicant

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

Dated: May 22, 2003